

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES, and FACEBOOK,
INC.,

Defendants.

MARK ZUCKERBERG and
FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

CIVIL ACTION NO. 1:04-cv-11923
(DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

**MOTION FOR LEAVE TO FILE PLAINTIFF'S SUPPLEMENTAL BRIEF IN
OPPOSITION TO MOTION TO DISMISS, PRESENTING NEW EVIDENCE AND
SUPPLEMENTAL AUTHORITY IN VIEW OF PRAMCO**

In view of the First Circuit's January 19, 2006 decision in *Pramco, LLC v. San Juan Bay Marina, Inc.*, 435 F.3d 51 (1st Cir. 2006), the effects of which have not been fully briefed by the parties, and in view of substantial new evidence, ConnectU LLC hereby requests leave to file PLAINTIFF'S SUPPLEMENTAL BRIEF IN OPPOSITION TO MOTION TO DISMISS, PRESENTING NEW EVIDENCE AND SUPPLEMENTAL AUTHORITY IN VIEW OF *PRAMCO*, attached hereto as Exhibit A.

Facebook Defendants refused ConnectU's request to stipulate to the filing of this brief and their response. Nevertheless, ConnectU consents to Defendants filing a response to ConnectU's supplemental brief submitted with this motion.

Plaintiff's Supplemental Brief clarifies these issues and will assist the Court in considering Facebook Defendants' Motion to Dismiss Plaintiff's Complaint (Docket No. 94, filed October 14, 2005) The proposed Order granting this Motion for Leave to File is attached hereto as Exhibit B.

CERTIFICATION UNDER L.R. 7.1

Plaintiff's counsel hereby certifies under L.R. 7.1 that John Hornick, counsel for Plaintiff, conferred with Hopkins Guy (counsel for the Facebook Defendants) but Facebook Defendants did not consent to this motion.

DATED: June 12, 2006

/s/ John Hornick
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on June 12, 2006.

/s/ John F. Hornick_____

John F. Hornick